REQUEST FOR

CONTINUED EXAMINATIO

Subsection (b) of 35 U.S.C. § 132, effective on

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number:

10/026,189

Filing Date:

December 21, 2001

First Named Inventor.

EMERY 2177

Group Art Unit:

Examiner Name:

Kuen S. Lu

Attorney Docket Number: 120 01530 US **CUSTOMER NO.:**

27623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865

(March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. § 1.114		
	a.	Previously submitted	
		i	Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed
			on(any unentered amendment(s) referred to above will be entered).
			referred to above will be entered).
		ii	Consider the arguments in the Appeal Brief or Reply Brief previously filed
•			filed on
		iii	Other
	b.	XXXXX	Enclosed
		i. XXXX	X Amendment/Reply with transmittal
		ii	_ Affidavit(s)/Declaration(s)
		iii	_ Information Disclosure Statement (IDS) and PTO-1449
		iv	Other
2.	Misce	llaneous	
	a.		Suspension of action on the above-identified application is requested under 37
			C.F.R. § 1.103(c) for a period of months. (Period of
			suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
	<u>b.</u>		Other
3.	Fees	The RCE fee Und	ler 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
	a.	XXXXX	The Director is hereby authorized to charge any deficiency in fees, or credit any
			overpayments to Deposit Account No. 01-0467.
		i. XXXX	X RCE fee (\$790.00) required under 37 C.F.R. §1.17(e)
		ii	_ Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
		iii	Other
	b.	XXXXX	Check in the amount of \$ 790.00 enclosed
	C.		Payment by credit card (Form PTO, 2038 enclosed)

Dated: April 21, 2005

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APR 2 5 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Emery et al.

Serial No.:

10/026,189

For:

METHOD AND APPARATUS FOR RETRIEVING TIME

SERIES DATA RELATED TO AN ACTIVITY

Filed:

December 21, 2001

Examiner:

Lu, Kuen S.

Art Unit:

2177

Confirmation No.:

9516

Customer No.:

27623

Attorney Docket No.:

120 –1530 US

AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In reply to the final Office Action dated January 21, 2005 please amend the above patent application as follows:

Claim Amendments begin at page 2.

Remarks begin at page 8.